## FINDINGS OF FACT AND CONCLUSIONS OF LAW

. . . . . . . . . . .

This matter comes before the Zoning Commissioner as an administrative variance filed by Stuart E. and Cindy W. Littman for that property known as 3122 Huntmaster Way in the Valley Hills subdivision of Baltimore County. The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 28 ft., in lieu of the minimum required 50 ft., for an attached garage/2nd floor bedroom addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Purthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of June, 1993 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 28 ft., in lieu of the minimum required 50 ft., for an attached garage/2nd floor bedroom addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no kitchen facilities.

Zoning Commissioner

for Baltimore County

**Baltimore County Government** Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

June 28, 1993

Mr. and Mrs. Stuart E. Littman 3122 Huntmaster Way Owings Mills, Maryland 21117

> RE: Petition for Administrative Zoning Variance Case No. 93-409-A 3122 Huntmaster Way

Dear Mr. and Mrs. Littman:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

LES:mmn

\_\_\_\_\_\_ 362-7578(W)

Petition for Administrative Variance

for the property located at 3122 Huntmaster Way, Owings Mills, Md

which is presently sensed RC-5

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

1804.3.B.3. To allow a side yard setback of 28 ft. in lies of the minimum

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardehip or practical difficulty)

3.80% tot the Homes on Huntmaster way have a garage /carport

1. Strict compliance mould prevent the use of the existing driveway as access to proposed

2. The proposed location of garage is the only practical location on the property

4. Several homes an Huntmaster way have been granted variances for the

Property is to be posted and advertised as prescribed by Zoning Regulations. add thou of a gavage

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

hereto and made a part hereof, hereby petition for a Variance from Section(s)

required 50 ft.

3122 Huntmaster Way 356-3339 (H) Alana

i/We do solemnly declare and affirm under the penalties of perjury that I/we are the

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation, throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

(Type or Print Name)

(Type or Print Name)

ITEM #: 424

## in support of Affidavit Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affant(s) and that Affant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 3122 Huntwaster Way

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Admini Variance at the above address: (Indicate hardehip or practical difficulty) Practical Difficulty. 1. Strict compliance would prevent the use of the existing driveway as

access to the proposed garage. 2. The proposed location of garage is the only practical location

3. 80% to of the homes on Huntmaster Way have a garage /carport, 4. Several homes on Huntmaster Way have been granted variances for the addition of a garage.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee a may be required to provide additional information.

that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

May 11, 1993

93-409-A

Zoning Description for 3122 Huntmaster Way

Elect. Dist. 4. Councilmatic 3

Beginning at a point on the north side of Huntmaster way, softwide, at the distance.
of 370 ft east of Barnstoble Ct. Being
LZ #14, Sect 1 in the Subdivision of Valley Hills as recorded in Baltimore County Plat Book No. 37 folio 26, containing 45,000 SR. At. and 1.03 ucrest.

District ##	Date of Posting 6/3/22
Posted for: STOOT + Cindy Positioner: 3/22 (N/S) Ho	Latterery Way, 370' Ef Bornstolle Ct.
•	ay on proporty to be the

5-21-93

Taken in by: Fol

Cindy W. Littman ste: 3122 Huntmaster Way

#010 Variance (ADMN) # 080 - Sign & Fosting 35.00 Total \$ 8500

-54 0010:08AM05-21-93

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

June 11, 1993

Mr. and Mrs. Stuart E. Littman 3122 Huntmaster Way

> RE: Case No. 93-409-A, Item No. 424 Petitioner: Stuart E. Littman, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Littman:

Owings Mills, MD 21117

111 West Chesapeake Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 21, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Zoning Plans Advisory Committee Comments Date: June 11, 1993 Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

> W. Carl Richards, Jr. Zoning Coordinator

WCR:hek

Enclosures

State Highway Administration

O. James Lighthizer Secretary Hal Kassoff

5-26-93

111 W. Chasapeake Avenue Towson, Maryland 21204

Re: Baltimore County
No.: +424 (TJS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

My telephone number is 410-333-1350 Teletypewriter for Impaired Hearing or Speech 383-7555 Baitimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baitimore, Maryland 21203-0717 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration &

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

Development Management

DATE: June 3, 1993

SUBJECT: 3122 Huntmaster Way

INFORMATION:

Zoning:

Hearing Date:

Item Number: 424

Petitioner: Stuart E. Littman Property Size:

Requested Action:

Should the applicant's request be granted, staff recommends that approval of the request be subject to a condition that any improvement be generally compatible with the built environment of the neighborhood.

PK/JL:lw

424.7AC/7AC1

Building Item 405 Building shall comply with applicable provisions of the 1991 Life Safety Code. Item 416 No Comments Item 417 No Comments Item 418

BARMORE COUNTY, MARY ND

INTER-OFFICE CORRESPONDENCE

Date\_ May 27, 1993

No Comments Item 419 No Comments Item 420 No Comments Item 421 No Comments Item 422 No Comments

TO Zoning Advisory Committee

FROM Fire Department

Captain Jerry Pfeifer

SURJECT Comments for 06/08/93 Meeting

Item 423 No Comments Item 424 No Comments

JP/dmc

ZADM

Gy 5055-93

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 5, 1994

Development Management FROM: Pat Keller, Deputy Director

Office of Planning and Zoning

Arnold Jablon, Director

Zoning Administration and

Petitions from Zoning Advisory Committee 94-409-A

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 377, 397, 398, 399, 400, 402, 409, 410, 412 and 414.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

Baltimore County Government
Office of Zoning Administration
and Development Management



(410) 887-3353

Stuart and Cindy Littmen 3122 Huntmaster ting Owings Hills, Heryland 21117

111 West Chesapeake Avenue

Towson, MD 21204

he: CMS MMMS2: 93-409-1 (Itam 424) 1:3122 Huntmaster May 4th Election Bistrict - 3rd Councilments

number. May contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 6, 1993. The chosing date (June 21, 1993) is the deadline for a neighbor to file a formal request for a public bearing. After the closing date, the file will be reviewed by the Soning or Deputy Soning Commissioner. At that time, as Order will issue. This Order may (a) great the requested relief, (b) deep the requested relief, or (c) downs that the matter he set in for a public hearing. You will receive written notification as to whether or not your petition has been greated, denied, or will go to public hearing.

2) In cases requiring public bearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the bearing will appear in a Bultimore County nonspaper. Charges related to the reporting and nonspaper advertising are popula by the patitioner(s).

the closing date. Pailure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE CROKE IS READY IT WILL BE PORMARDED TO YOU VIA FIRST CLASS MAIL. CEDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRICE TO BRING MAILED TO YOU.



Pg. 1

Memo

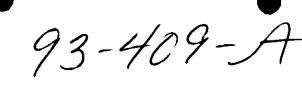
To: Zoning Commisioner of Baltimore County From: Resident 3128 Huntmester Way Re: Administrative Variance Of 3122 Huntmaster Way

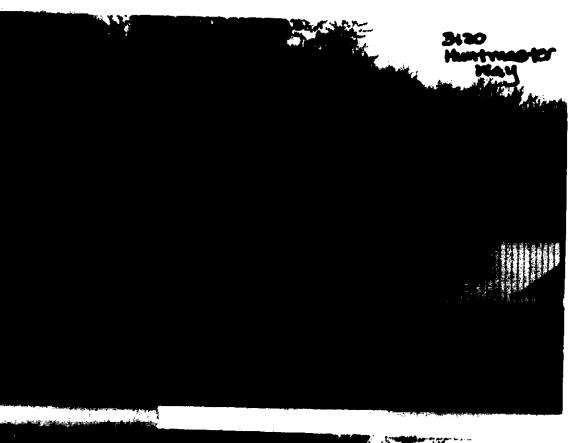
We, the undersigned, have no objection to the granting of a variance for the proposed construction of a 24 feet addition (garage with bedroom) at 3122 Hummaster Way, Owings Mills, Maryland 21117.

Name: Drave Sweeder Date: 5/14/93

Nowing mile, mosile

93-409-A







ZAC.377/PZONE/ZAC1

